

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
5:16cv184**

**ANN S. MATTHEWS,**

**Plaintiff,**

**v.**

**NANCY BERRYHILL, Acting  
Commissioner of Social Security,**

**Defendant.**

---

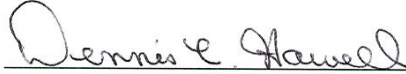
)  
)  
)  
)  
)  
)  
)  
)  
)  
)  
)

**ORDER**

Pending before the Court is the Consent Motion for Attorney Fees [# 18]. Plaintiff moves the Court to award attorney's fees paid by the Commissioner of Social Security ("Commissioner") pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412. The Commissioner does not oppose the award of fees in this case. Upon a review of the record, the motion, and the relevant legal authority, the Court **GRANTS** the motion [# 18]. The Court **DIRECTS** the Commissioner to pay to Plaintiff the sum of \$6,000.00 in full satisfaction of any and all claims arising under the Equal Access to Justice Act. In addition, the Commissioners will determine whether Plaintiff owes a debt to the United States. If so, the debt will be satisfied first and, if any funds remain, the remaining funds will be made payable to Plaintiff and mailed to Plaintiff's counsel. If the Department of the Treasury

reports to the Commissioner that the Plaintiff does not owe a federal debt, the government will exercise its discretion and honor the assignment of EAJA fees and pay the awarded fees directly to Plaintiff's counsel.

Signed: April 27, 2017

A handwritten signature in cursive script, reading "Dennis L. Howell", written over a horizontal line.

Dennis L. Howell  
United States Magistrate Judge

